

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEITH ALLAN DEVEREAUX,

Defendant.

**CR-12-64-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 16, 2020. (Doc. 102.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 15, 2020. (Doc. 101.) The United States accused Devereaux of violating his conditions of

supervised release 1) by using marijuana on five separate occasions; 2) by using methamphetamine; 3) by failing to report for substance abuse testing; 4) by failing to follow the instructions of his probation officer; 5) by failing to successfully complete his substance abuse treatment program; and 6) by consuming alcohol. (Doc. 97.)

At the revocation hearing, Devereaux admitted that he had violated the conditions of his supervised release 1) by using marijuana on five separate occasions; 2) by using methamphetamine; 3) by failing to report for substance abuse testing; 4) by failing to follow the instructions of his probation officer; 5) by failing to successfully complete his substance abuse treatment program; and 6) by consuming alcohol. (Doc. 101.) Judge Johnston found that the violations Devereaux admitted proved to be serious and warranted revocation, and recommended that Devereaux receive a custodial sentence of 5 months with no supervised release to follow. Devereaux was advised of the 14 day objection period and his right to allocute before the undersigned. Devereaux waived those rights (Doc. 101.)

The violations prove serious and warrant revocation of Devereaux's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 102) are **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Keith Allan Devereaux be sentenced to 5 months with no supervised release to follow.

DATED this 20th day of October, 2020.



---

Brian Morris, Chief District Judge  
United States District Court